

### REMARKS

Claims 40-109 are currently pending with claims 40, 47, 55, 66, 73, 81 and 89 being independent. Claims 40, 47, 55, 66, 73, 81 and 89 have been amended to recite that "an operation voltage of the electroluminescent element is 10 V or less," and claims 96-109 have been added. Support for the amendments and the new claims may be found in the application at page 7, lines 1-7. No new matter has been introduced.

Claims 40-95 have been rejected for obviousness-type double patenting over claims 1-27 of U.S. Patent No. 6,677,621. Applicant requests reconsideration and withdrawal of this rejection because the claims of the '621 patent do not describe or suggest an electroluminescent element having an operation voltage of 10 V or less, as recited in each of the independent claims.

Claims 40-95 also have been rejected as being unpatentable over Forrest (U.S. Patent No. 6,310,360) in view of Kimura (U.S. Patent No. 6,518,941). Applicant requests reconsideration and withdrawal of this rejection because neither Forrest, Kimura, nor any proper combination of the two describes or suggests an electroluminescent element having an operation voltage of 10 V or less, as recited in each of the independent claims. Forrest, at col. 16, lines 22-25 and with respect to Fig. 6, notes that voltages of greater than 17 volts are required in order to obtain light emission. Kimura appears to be silent on the issue of the operation voltage. Accordingly, since neither Forrest or Kimura describes or suggests the recited operating voltage, any proper combination of Forrest and Kimura would also fail to do so. For at least this reason, the rejection should be withdrawn.

Applicant submits that all claims are in condition for allowance.

Applicant : Shunpei Yamazaki et al.  
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The fee in the amount of \$1,940 for the request for continued examination (RCE) fee (\$790), excess claims fee (\$700) and two-month extension fee (\$450) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 10/11/06

  
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